

1-1 By: Kolkhorst S.B. No. 547  
1-2 (In the Senate - Filed January 19, 2017; February 8, 2017,  
1-3 read first time and referred to Committee on Health & Human  
1-4 Services; April 18, 2017, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 April 18, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Schwertner</u>	X		
1-10	<u>Uresti</u>	X		
1-11	<u>Buckingham</u>	X		
1-12	<u>Burton</u>	X		
1-13	<u>Kolkhorst</u>	X		
1-14	<u>Miles</u>	X		
1-15	<u>Perry</u>	X		
1-16	<u>Taylor of Collin</u>	X		
1-17	<u>Watson</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 547 By: Kolkhorst

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the provision of services and resources to certain  
1-22 individuals by a state supported living center and to the creation  
1-23 of a schedule of support services a state supported living center  
1-24 may provide and procedures for establishing applicable fees for  
1-25 those services.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Section 161.080, Human Resources Code, is  
1-28 amended by amending Subsection (b) and adding Subsections (c), (d),  
1-29 and (e) to read as follows:

1-30 (b) Notwithstanding any other law, a state supported living  
1-31 center may provide nonresidential services to support an individual  
1-32 if ~~+~~

1-33 ~~[(1) the individual:~~

1-34 ~~[(A) is receiving services in a program funded by~~  
1-35 ~~the department,~~

1-36 ~~[(B) meets the eligibility criteria for the~~  
1-37 ~~intermediate care facility for persons with an intellectual~~  
1-38 ~~disability program, and~~

1-39 ~~[(C) resides in the area in which the state~~  
1-40 ~~supported living center is located, and~~

1-41 ~~[(2)]~~ the provision of services to the individual does  
1-42 not interfere with the provision of services to a resident of the  
1-43 state supported living center.

1-44 (c) The executive commissioner by rule shall establish:

1-45 (1) a list of services a state supported living center  
1-46 may provide under a contract described by Subsection (a); and

1-47 (2) procedures for the commission to create, maintain,  
1-48 and amend as needed a schedule of fees that a state supported living  
1-49 center may charge for a service included in the list described by  
1-50 Subdivision (1).

1-51 (d) In creating a schedule of fees, the commission shall:

1-52 (1) use the reimbursement rate for the applicable  
1-53 service under the Medicaid program; or

1-54 (2) modify that rate with a written justification for  
1-55 the modification and after holding a public hearing on the issue of  
1-56 the modification.

1-57 (e) Notwithstanding Subsection (c), a state supported  
1-58 living center, based on negotiations between the center and a  
1-59 managed care organization, as defined by Section 533.001,  
1-60 Government Code, may charge a fee for a service other than the fee

2-1 provided by the schedule of fees created by the commission under  
2-2 this section.

2-3 SECTION 2. Not later than September 1, 2018, the executive  
2-4 commissioner of the Health and Human Services Commission shall  
2-5 adopt the rules listing services a state supported living center  
2-6 may provide under a contract and the procedures for the commission  
2-7 to create the schedule of fees for those services, as required by  
2-8 Section 161.080, Human Resources Code, as amended by this Act.

2-9 SECTION 3. This Act takes effect immediately if it receives  
2-10 a vote of two-thirds of all the members elected to each house, as  
2-11 provided by Section 39, Article III, Texas Constitution. If this  
2-12 Act does not receive the vote necessary for immediate effect, this  
2-13 Act takes effect September 1, 2017.

2-14

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